UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

ASSURANCE COMPANY OF)	
AMERICA and MARYLAND)	
CASUALTY COMPANY,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:03CV960HEA
)	
SYNTRAX INNOVATIONS, INC., and)	
ACCESS COVERAGECORP, INC.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on it own motion. On June 17, 2004, Intervenors Brooklyn Howard and Tonya Massey Mills filed their Motion to Intervene as Defendants, attaching thereto their Answer and Affirmative Defenses. On November 12, 2004, Intervenor Daimon Shelton filed his Motion to Intervene as a Defendant and filed his Proposed Answer and Affirmative Defenses on November 22, 2004. The Court granted both motions to intervene.

On March 3, 2005, this Court granted summary judgment in favor of Plaintiffs, Assurance Company of America and Maryland Casualty Company and against Syntrax Innovations, Inc. Plaintiffs' motion for summary judgment was granted as to Counts

I and IV of their First Amended Complaint, thereby rescinding the 2001 and 2002

insurance policies and granting Plaintiffs restitution in the amount of \$976,855.56.

Syntrax's counterclaims against Plaintiffs have been deemed moot by virtue of this

Court's Order granting summary judgment to Plaintiffs, and the crossclaims between

Defendants Syntrax and Access Coveragecorp, Inc. have been resolved in the Court's

Order entered on this same date.

By virtue of this Court's determination that Plaintiffs are entitled to rescission of

the policies and restitution and that Defendant Syntrax's counterclaims against Plaintiffs

are moot, the Court finds that no issues remain with respect to the Intervenors. All

issues have been resolved in this matter, and there remains nothing further pending

before the Court.

Dated this 7th day of October, 2005.

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UNITED STATES DISTRICT JUDGE

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